

REMARKS

Upon entry of this Amendment, claims 6-9, 11-14, 21-25, 27 and 31-35 are all the claims pending in the application. Claims 1-5, 10, 15-20, 26 and 28-30 have been canceled. Applicant thanks the Examiner for allowing claims 9, 21 and 25. Claims 1-8, 10-20, 22-24 and 26-35 presently stand rejected.

Additionally, claims 31-34 are objected to because of informalities. Applicant has amended claims 31-34 to overcome the Examiner's objections.

The Examiner has not indicated approval of the drawings filed November 20, 2000. Receipt and approval of these drawings on the record is kindly requested.

In regard to the claim rejections, claims 1-7, 10-20, 22, 23, 26-35 are rejected under 35 U.S.C. § 102(b) as being anticipated by Nagashima et al. (USP 5,963,521). However, due to the cancellation of claims 1-5, 10, 15-20, 26 and 28-30, the rejection as it applies to these claims is rendered moot. The rejection now only applies to pending claims 6, 7, 11-14, 22, 23, 27 and 31-35.

Claims 8 and 24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagashima et al. (USP 5,963,521) in view of Yokota (USP 5,886,957).

For the reasons set forth below, Applicant respectfully traverses the rejection of claims 6-8, 11-14, 22-24, 27 and 31-35.

Argument

Claims 11 and 27

In accordance with the present invention, as recited in claims 11 and 27, a "second information record medium", e.g., a Hard Disk (HD), is used as record media to record audio

information and map information. When a certain amount of record data gathers, the record data is recorded on the HD. Therefore, during the time when record data is not being recorded on the HD, data other than record data, e.g., map data of the navigation, can be recorded/read.

In comparison, Nagashima et al. discloses continuous recording of record data and at the same time continuous reproduction of the record data. The device disclosed in Nagashima et al. cannot read the other information (e.g., map data of the navigation) during recording operation.

Therefore, claims 11 and 27 are patentable over Nagashima et al. and the rejection to these claims should be withdrawn.

Claims 12-14

In accordance with the present invention, as recited in independent claim 12, reproduced sound is outputted, for example to be enjoyed by a listener, during a time when information is being recorded on record media. For example, claim 12 recites, *inter alia*, “a controlling device for controlling said recording device to record the audio information, which is reproduced from said first information record medium by said first reproducing device, when the audio information is outputted as a sound and also controlling said second reproducing device to reproduce and output the audio information as the sound.”

In comparison, Nagashima et al. does not disclose this feature. Nowhere in Nagashima et al. is it disclosed that audio information is reproduced and recorded on the same record medium at the same time. Therefore, according to the device disclosed in Nagashima et al., a listener can not enjoy listening to music during a navigation operation, during which time map data of the navigation must be read.

Accordingly, for at least this reason the invention recited in claims 12-14 are patentable over Nagashima et al. And the rejection thereto should be withdrawn.

Claims 6 and 22

Nagashima et al. fails to disclose at least controlling the recording device to record “information indicative of a portion of the audio information, which is being recorded at a time of stopping a recording operation... when the recording operation is to be stopped in the middle of recording the audio information”, as recited in independent claims 6 and 22. The recited portion of the audio information includes indication information of pre-recorded audio information. According to the portion of the audio information, the apparatus of the recited invention can continuously re-record after the reproduction has been stopped. The device in Nagashima et al. can not perform this function.

Accordingly, for at least this reason the invention recited in claims 6-8 and 22-24 are patentable over Nagashima et al. And the rejection thereto should be withdrawn.

Claims 8 and 24

In addition to their dependencies from claims 6 and 22, respectively, claims 8 and 24 recite independently patentable subject matter in that the proposed combination does not disclose “a sub electric power supplying device for supplying an electric power to said information recording and reproducing apparatus after said main electric power supplying device is stopped.” For example, neither Nagashima et al. nor Yokota disclose that when the main power source is cut off, a battery switch turns on from being turned off.

Yokota merely discloses that when the card 10 is loaded into the memory card I/F 30, the power is switched from the battery 39 to external power source. This does not meet the requirements of the claims.

For this additional reason, claims 8 and 24 are patentable over the proposed combination of references.

Claim 31

In regard to claim 31, the Examiner has failed to set forth a *prima facie* case of anticipation. Specifically, the Examiner has not indicated anywhere in Nagashima et al. where a controller is disclosed for “controlling said first reproducing device reproducing a recorded non-compressed information faster than normal speed in parallel to recording a compressed information which are converted from the non-compressed information by a compressing device.” In fact, this feature is not disclosed in the cited prior art. For at least this reason, the prior art rejection of claim 31 should be withdrawn.

Claim 32

In regard to claim 32, the Examiner has failed to set forth a *prima facie* case of anticipation. Specifically, the Examiner has not indicated anywhere in Nagashima et al. where the feature of “controlling said first reproducing device reproducing a recorded compressed information faster than normal speed in parallel to recording a compressed information which are converted from the recorded compressed information by a compressing method converter” is disclosed. In fact, this feature is not disclosed in the cited prior art. For at least this reason, the prior art rejection of claim 32 should be withdrawn.

Claim 33

In regard to claim 33, the Examiner has failed to set forth a *prima facie* case of anticipation. Specifically, the Examiner has not indicated anywhere in Nagashima et al. where “a controlling device for controlling said first reproducing device reproducing a recorded non-compressed information faster than normal speed in parallel to recording a compressed information which are converted from the non-compressed information by a compressing device” is disclosed. In fact, this feature is not disclosed in the cited prior art. For at least this reason, the prior art rejection of claim 33 should be withdrawn.

Claim 34

In regard to claim 34, the Examiner has failed to set forth a *prima facie* case of anticipation. Specifically, the Examiner has not indicated anywhere in Nagashima et al. where “a controlling device for controlling said first reproducing device reproducing a recorded compressed information faster than normal speed in parallel to recording a compressed information which are converted form the recorded compressed information by a compressing method converter” is disclosed. In fact, this feature is not disclosed in the cited prior art. For at least this reason, the prior art rejection of claim 34 should be withdrawn.

Claim 35

In regard to claim 35, the Examiner has failed to set forth a *prima facie* case of anticipation. Specifically, the Examiner has not indicated anywhere in Nagashima et al. where “a controlling device for controlling said first reproducing device reproducing a recorded compressed information in parallel to recording a compressed information which are converted from the recorded compressed information by a compressing method converter and controlling

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the compressed information being expanded by an expanding device for outputted information to an audio reproducing device" is disclosed. In fact, this feature is not disclosed in the cited prior art. For at least this reason, the prior art rejection of claim 35 should be withdrawn.

Conclusion

In view of the foregoing amendments and remarks, the application is believed to be in form for immediate allowance with claims **6-9, 11-14, 21-25, 27 and 31-35**, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to **contact the undersigned** at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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